UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,480	08/07/2003	Alejandro Wiechers	200207443-1	1078

22879   7590   12/12/2008
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EXAMINER
MILIA, MARK R

ART UNIT	PAPER NUMBER
2625	

NOTIFICATION DATE	DELIVERY MODE
12/12/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
   Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>19 November 2008</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-11 and 24-34</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-11 and 24-34</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

11/19/08 has been entered. Currently, claims 1-11 and 24-34 are pending.

Response to Arguments

2.   Applicant's arguments with respect to claims 1 and 24 have been considered but

are moot in view of the current amendment to the claims and therefore a new ground(s)

of rejection will be made.

Claim Rejections - 35 USC § 103

3.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

4.   Claims 1-9 and 24-32 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Roztocil (US 2001/0044868) in view of Schorr (US 6,608,697).

        Regarding claim 1, Roztocil discloses a method of managing workflow in a

commercial printing environment including a designer location and a print service

provider location, said method comprising: creating at the designer location a digital file

that represents an image to be printed (see Fig. 1 and paragraph 22, reference states

that a digital print shop contains computer workstations **114** and **116**, servers **118** and

120, and output devices **122** connected via network **112**; network **112** may include a

plurality of networks types, such as wired, wireless, LAN, Ethernet, or WAN (Internet);

print jobs are received and manipulated using computers **114** and **116** and as such

makes up the designer location, reference also states that computers **114** and **116**

maybe combined into one workstation; print server **120** and output devices **122** make

up the print service provider location, therefore, communication between the computers

114 and **116** and server **120** and output devices **122** is established based on the output

device (printer) selected by the user), receiving at the designer location from the print

service provider location real time configuration information regarding a print production

device at the print service provider location (see paragraphs 23, 32 lines 22-26, 45 lines

1-6, 46 lines 1-16, and 52), creating at the designer location relative to the received

configuration information a high performance file by encapsulating a plurality of files

associated with a print job created at the designer location, the plurality of files includes

the digital file that represents the image to be printed and a file that includes print job

processing instructions (see Fig. 1 and paragraphs 23, 25, and 27-28, reference states

that output device availability and capabilities provided to a user and are utilized in print

job fulfillment, and also states that "print ready" files are created at the designer

location, computers **114** and **116**, during job preparation which takes output device

attributes into consideration), submitting the high performance file from the designer

location to the print service provider location via an electronic network (see paragraphs

22 lines 8-13, 25 lines 9-11, 29, and 32 lines 22-26), and performing at the print service

provider location at least one of automated printing, finishing, packaging, and shipping

relative to the instructions contained in the high performance file (see Fig. 1 and

paragraphs 29-30, 33 lines 2-4, 45 lines 1-6, 46-48, and 56).

Roztocil does not disclose expressly automatically checking for common errors

associated during a prepress stage by automatically pre-flighting the document to be

printed, automatically revising incorrect printing instructions and adding missing printing

instructions, automatically providing a remote proofing function for a customer of the

document to be printed and automatically tracking the printing of the document by

continuously monitoring and updating a status of the document to be printed.

Schorr discloses automatically checking for common errors associated during a

prepress stage by automatically pre-flighting the document to be printed (see Fig. 1A

101 and column 8 lines 6-18), automatically revising incorrect printing instructions and

adding missing printing instructions (see column 8 lines 15-18, print vendor **117** corrects

errors), automatically providing a remote proofing function for a customer of the

document to be printed and automatically tracking the printing of the document by

continuously monitoring and updating a status of the document to be printed (see

column 8 line 19-column 9 line 53 and column 12 lines 33-50, a customer can use a

web page interface to track the progress of the print job along with associated errors or

lack thereof).

Regarding claim 24, Roztocil discloses a system for managing workflow in a

commercial printing environment, said system comprising: a designer location

configured to: create a digital file that represents an image to be printed (see Fig. 1 and

paragraph 22), receive from a print service provider location real time configuration

information regarding a print production device at the print service provider location (see

paragraphs 23, 32 lines 22-26, 45 lines 1-6, 46 lines 1-16, and 52, reference states that

a digital print shop contains computer workstations **114** and **116**, servers **118** and **120**,

and output devices **122** connected via network **112**; network **112** may include a plurality

of networks types, such as wired, wireless, LAN, Ethernet, or WAN (Internet); print jobs

are received and manipulated using computers **114** and **116** and as such makes up the

designer location, reference also states that computers **114** and **116** maybe combined

into one workstation; print server **120** and output devices **122** make up the print service

provider location, therefore, communication between the computers **114** and **116** and

server **120** and output devices **122** is established based on the output device (printer)

selected by the user), create relative to the received configuration information a high

performance file that encapsulates a plurality of files associated with a print job created

at the designer location, the plurality of files including the digital file that represents the

image to be printed and a file that includes print job processing instructions (see Fig. 1

and paragraphs 23, 25, and 27-28, reference states that output device availability and

capabilities provided to a user and are utilized in print job fulfillment, and also states that

"print ready" files are created at the designer location, computers **114** and **116**, during

job preparation which takes output device attributes into consideration), and submit the

high performance file to the print service provider location via an electronic network (see

paragraphs 22 lines 8-13, 25 lines 9-11, 29, and 32 lines 22-26), and a print service

provider location configured to perform at least one of automated printing, finishing,

packaging, and shipping relative to the instructions contained in the high performance

file (see Fig. 1 and paragraphs 29-30, 33 lines 2-4, 45 lines 1-6, 46-48, and 56).

Roztocil does not disclose expressly automatically checking for common errors

associated during a prepress stage by automatically pre-flighting the document to be

printed, automatically revising incorrect printing instructions and automatically adding

missing printing instructions, automatically providing a remote proofing function for a

customer of the document to be printed and automatically tracking the printing of the

document by continuously monitoring and updating a status of the document to be

printed.

Schorr discloses automatically checking for common errors associated during a

prepress stage by automatically pre-flighting the document to be printed (see Fig. 1A

101 and column 8 lines 6-18), automatically revising incorrect printing instructions and

automatically adding missing printing instructions (see column 8 lines 15-18, print

vendor **117** corrects errors), automatically providing a remote proofing function for a

customer of the document to be printed and automatically tracking the printing of the

document by continuously monitoring and updating a status of the document to be

printed (see column 8 line 19-column 9 line 53 and column 12 lines 33-50, a customer can use a web page interface to track the progress of the print job along with associated errors or lack thereof).

Roztocil & Schorr are combinable because they are from the same field of endeavor, printing based on printer capabilities.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the pre-flight automatic checking and correcting of common errors for a document to be printed, as described by Schorr, with the system of Roztocil.

The suggestion/motivation for doing so would have been to reduce the need to reprint a document due to an error than could have been easily corrected prior to actual printing, thereby saving printer resources and increasing system efficiency, and to enable a user to receive his/her document(s) when, how, and where they desire to increase overall system efficiency and enhance user operability.

Therefore, it would have been obvious to combine Schorr with Roztocil to obtain the invention as specified in claims 1 and 24.

Regarding claims 2 and 25, Roztocil further discloses verifying at the print service provider location that the digital file will be produced as indicated by the high performance file and, if not, correcting the high performance file to ensure production substantially as designed (see paragraphs 29-30, 45-48, and 56).

Regarding claims 3 and 26, Roztocil further discloses wherein the digital file

includes the substance of the print job and the corresponding images and fonts (see

paragraphs 25 lines 29-36, 29-30, 45-48 and 56).

Regarding claims 4 and 27, Roztocil further discloses wherein the plurality of files

includes a job ticket that contains instructions regarding each stage of processing for

the print job (see paragraphs 30, 45-48, and 56).

Regarding claims 5 and 28, Roztocil further discloses wherein the plurality of files

includes a remote proof file that reflects the format that the final output of the print job

should comprise (see paragraphs 29-30, 33, 45-48, and 56).

Regarding claims 6 and 29, Roztocil further discloses wherein the plurality of files

includes an imposition information file that contains instructions regarding arrangement

and spacing of the image to be printed on print media to be used in completing the print

job (see paragraph 30).

Regarding claims 7 and 30, Roztocil further discloses wherein the plurality of files

includes an imposition proof in electronic form that illustrates the arrangement and

spacing (see Figs. 3 and 4 and paragraphs 52 and 56-57).

Regarding claims 8 and 31, Roztocil further discloses performing at the designer

location automated remote finishing setup to remotely select the desired finishing

options and to prepare finishing instructions to effect the same, and wherein the plurality

of files includes the finishing instructions (see paragraphs 45-48 and 56).

Regarding claims 9 and 32, Roztocil further discloses wherein the plurality of files

includes an electronic image of a finishing mock-up of the image to be printed (see Fig.

4 and paragraphs 56-61, reference states that a preview of the pages of a document

along with associated page features that have been set can be displayed for the user to

view to make sure everything is correct for final production, which is analogous to a

finishing mock-up).

5.   Claims 10, 11, 33, and 34 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Roztocil and Schorr as applied to claims 1 and 24 above, and further

in view of Kemp (US 2002/0078160).

Regarding claims 10 and 33, Roztocil discloses correcting the high performance

file comprises adding missing instructions or revising instructions contained within the

high performance file to account for changes in equipment (see Fig. 1 and paragraphs

29-30, 33 lines 2-4, 45 lines 1-6, 46-48, and 56).

Roztocil and Schorr do not disclose expressly performing at the designer location

automated remote packaging setup to remotely select the desired packaging options

and to prepare packaging instructions to effect the same, and wherein the plurality of

files includes the packaging instructions.

Kemp discloses performing at the designer location automated remote packaging

setup to remotely select the desired packaging options and to prepare packaging

instructions to effect the same, and wherein the plurality of files includes the packaging

instructions (see paragraphs 41, 64, 67, 69, and 85).

Regarding claims 11 and 34, Roztocil discloses correcting the high performance

file comprises adding missing instructions or revising instructions contained within the

high performance file to account for changes in equipment (see Fig. 1 and paragraphs 29-30, 33 lines 2-4, 45 lines 1-6, 46-48, and 56).

Roztocil and Schorr do not disclose expressly performing at the designer location automated remote shipping setup to remotely select the desired shipping options and to prepare shipping instructions to effect the same, and wherein the plurality of files includes the shipping instructions.

Kemp discloses performing at the designer location automated remote shipping setup to remotely select the desired shipping options and to prepare shipping instructions to affect the same, and wherein the plurality of files includes the shipping instructions (see paragraphs 41, 64, 67, 69, and 85).

Roztocil, Schorr, & Kemp are combinable because they are from the same field of endeavor, printing based on printer capabilities.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the selection of packaging and shipping instructions as described by Kemp, with the system of Roztocil and Schorr.

The suggestion/motivation for doing so would have been to ensure a user receives a desired order when and where it is convenient for the user.

Therefore, it would have been obvious to combine Kemp with Roztocil and Schorr to obtain the invention as specified in claims 10, 11, 33, and 34.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. To further show the state of the art please refer to the attached Notice of References Cited.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571)272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached at (571) 272-7437. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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